

**FREDERICK COUNTY LIQUOR BOARD**  
***Public Meeting Minutes***  
***Monday, February 9, 2015***

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Those Present: Mr. Dick Zimmerman, Chairman  
Mrs. Maggi Hays, Board Member  
Mr. Rick Stup, Board Member  
Mrs. Linda B. Thall, Sr. Assistant County Attorney  
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector  
Mr. Bob Shrum, Alcoholic Bev. Inspector  
Ms. Kathy L. Vahle, Administrator  
Mrs. Sandra Rees, Administrative Specialist IV

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A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 9 am by Chairman Zimmerman.

1. **Brunswick Liquors/Country Stores** – Ms. Vahle explained that two of the applications are Brunswick Liquors and Country Stores. Right now Country Stores has the Beer, Wine and Liquor license and they are moving to Brunswick Liquors. Lallo's still has to sign the statement saying they surrendered their license so we can cancel it and that has to be done before we can issue the new license for a Transfer of Location for Brunswick Liquors. Country Stores will be the new license. They are moving the liquor portion over to Lallo's and then they are applying for a beer and wine license at the old location. Brunswick Liquors was not ready, so the Board moved on with the Agenda.
2. Decision Required:           Transfer/Relocation

**TRANSFER/UPGRADE FROM:**

RE: Christopher Carter & Jessica Carter  
for the use of CarterQue, LLC  
t/a CarterQue BBQ & Grilling Co  
1310 S. Main Street  
Mt. Airy, MD 21771  
Class B, On Sale, Beer and Light Wine

**TRANSFER TO:**

RE: Christopher Carter & Jessica Carter  
for the use of CarterQue, LLC  
t/a CarterQue BBQ & Grilling Co  
1310 S. Main Street  
Mt. Airy, MD 21771

Class B, On Sale, Beer, Wine & Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending item is: the Worker's Comp. Inspector DeLauter stated they are compliant. Commissioner Stup asked if they had an outside area because it was not with the application, but it has been approved by the Board in the past. Chairman Zimmerman reminded them of the proposed legislation for the Alcohol Awareness.

**MOTION:** Mr. Stup made a motion for a conditional approval until February 23, 2015 transfer/upgrade and to include the existing outside seating.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**  
**(Motion Passed)**

3. Decision Required: Transfer/Relocation

**TRANSFER/RELOCATION FROM:**

RE: Michele Cipriani for the  
use of MITVAA LLC  
t/a Country Liquors  
209 Jefferson Pike  
Knoxville, MD 21754  
Class A, Off Sale, Beer, Wine & Liquor

**TRANSFER TO:**

RE: Michele Cipriani for the  
use of MITVAA LLC  
t/a Brunswick Liquors  
840 Jefferson Pike  
Knoxville, MD 21758  
Class A, Off Sale, Beer, Wine & Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). She stated that Lallo's will have to turn their license in before this license can be transferred. The pending items are: the Zoning, the Occupancy Permit, the Fire Marshal, the taxes, the Retail Sales Tax correction. Pradeep Saini, owner, stated the Occupancy Permit is being processed and the former tenants are still vacating the premises. Inspector DeLauter stated they are not ready for inspection.

**MOTION:** Mr. Stup made a motion for a conditional approval until May 4, 2015.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**  
**(Motion Passed)**

3. Decision Required: New

RE: Roger James Nicholas Miller for  
the use of MAAHI & MISREE LLC  
t/a Country Stores  
209 Jefferson Pike  
Knoxville, MD 21758  
Class A, Off Sale, Beer and Light Wine  
Sunday Permit

Ms. Vahle swore in the applicants (See Sign In Sheet). She also stated Brunswick Liquors needs to be issued before this license is issued. The pending item is: the Worker's Comp. Pradeep Saini stated he would get a copy of the Worker's Comp. Roger Miller, licensee, will be getting the Alcohol Awareness training.

**MOTION:** Mr. Stup made a motion for a conditional approval for May 4, 2015.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**  
**(Motion Passed)**

4. Decision Required: New

RE: Gregory Paul Martinez for the  
use of Furnace Bar & Grill LLC  
t/a Furnace Bar & Grill  
12841 Catoctin Furnace Rd.  
Thurmont, MD 21788  
Class B, On Sale, Beer, Wine and Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending items are: the Zoning, the Occupancy Permit, the Health Department, Retail Sales Tax license, and the Alcohol Awareness. Also included is the outside area request. The applicant stated that everything is complete except for the Zoning and the business is ready to open. Inspector DeLauter stated they are compliant, also the outside patio area. Chairman Zimmerman asked what type of fence and how high it was. Commissioner Stup stated he had stopped by the establishment and the fence is a plastic synthetic fence. He also asked for the applicant to revise his drawing of the patio to show the emergency gate and to place a buffer around the patio area between the parking lot and the patio so the cars cannot park up against the patio fence. Commissioner Stup asked about entertainment. The applicant stated there was an outside speaker which he would like to use. Commissioner Stup asked that the entertainment be stopped at 11PM if it was outside.

**MOTION:** Mr. Stup made a motion for a conditional approval until May 4, 2015 and the applicants will provide a revised diagram of the patio with the emergency exits and provide what type buffer will be put around the patio area.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**  
**(Motion Passed)**

5. Decision Required: New

RE: Jeffrey Lenn Dempsey III  
for the use of Hometown  
Restaurant Group LLC  
t/a Le Parc Bistro  
207 West Patrick St.  
Frederick, MD 21701  
Class B, On Sale, Beer, Wine and Liquor

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending items are: the Occupancy Permit, the Fire Marshal, the Health Department, the Retail Sales Tax license, Worker's Comp and the Alcohol Awareness. The applicant stated they have the Sales Tax license, the Health Department has approved them, the Fire Marshal is scheduled and he has applied for the Occupancy Permit. He will provide copies of the Alcohol Awareness certification. Inspector Shrum stated they are compliant. Commissioner Stup asked about outside seating and entertainment. The applicant stated not yet but possibly in the summer time. Also they are thinking about having a piano for entertainment in the bar area. Commissioner Stup advised the applicant there is a form to fill out and submit. Chairman Zimmerman asked about closing time which is at 10:30PM.

**MOTION:** Mr. Stup made a motion for a conditional approval until May 4, 2015.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye

Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**  
**(Motion Passed)**

6. Decision Required: Transfer/Upgrade

**TRANSFER/UPGRADE FROM:**

RE: Tai La, Tyler Tu and Mai La  
for the use of Pho Tnt Inc.  
t/a Pho Tnt  
1003 West Patrick St. #8  
Frederick, MD 21702  
Class B, On Sale, Beer Only

**TRANSFER TO:**

RE: Tai La, Tyler Tu and Mai La  
for the use of Pho Tnt Inc.  
t/a Pho Tnt  
1003 West Patrick St. #8  
Frederick, MD 21702  
Class B, On Sale, Beer and Light Wine

Ms. Vahle swore in the applicants (See Sign In Sheet). The pending item is: the Fire Marshal. Lt. Green, Fire Marshal, stated he had inspected this establishment and passed it. Inspector Shrum stated they are compliant.

**MOTION:** Mr. Stup made a motion for a conditional approval for February 23, 2015.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays - Aye  
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nays – 0**  
**(Motion Passed)**

7. **New Policy for Alcohol Awareness Training for Specials** – Ms. Vahle stated the Board has proposed a policy, which has been advertised, that would require Special licenses to provide proof of a Certified Alcohol Awareness person who will be working at the event along with a schedule for bartenders or servers. Mr. John Dowling, Our Lady of Mt. Carmel Church in Thurmont, stated they have never had a situation where someone was tipsy and his objection is the cost. Chairman Zimmerman asked him if they are IDing people at these events. Mr. Dowling stated they are IDing people and the ticket says no one under 18 admitted. Chairman Zimmerman stated they have the option to grant an exception under certain circumstances. Also some of the office staff will become certified as teachers at a lesser cost to licensees. Mr. Dowling stated he knew some American Legion members who are bartenders and can ask if they could work an event. Chairman Zimmerman stated he could ask them if they are currently certified. Commissioner Stup stated we have had some large events in the past and the licensee and volunteers have lost control and there have been some problems. So this policy is to protect everybody and not be onerous on anybody.

**MOTION:** Mr. Stup made a motion if the Board approves this policy for Special Licenses that the Board grants a one-time exemption to Our Lady of Mt. Carmel Church for their upcoming fundraising in which they have already obtained a Special license for February 14, 2015.

**SECOND:** Mrs. Hays seconded the motion.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mr. Stup – Aye  
Mrs. Hays – Aye  
Mr. Zimmerman – Aye

The vote was unanimous.

**Aye – 3 Nays – 0**  
**(Motion Passed)**

Mike Naill, President of Libertytown Volunteer Fire Company, stated they had just had an event and he found someone from the American Legion in Woodsboro who had the Alcohol Awareness

training. Chairman Zimmerman asked him if this would be a problem for him. Mr. Naill stated the volunteers already are stressed out by recertification and this is just something to add to it, but they will be compliant. Chairman Zimmerman stated there is pending legislation for up to 50 events to be approved by the Legislation. Also a promoter's event license for large events. Commissioner Stup stated this is not meant to be onerous on anybody and two staff members will be trained to train people for this at a much reduced cost. Chairman Zimmerman stated this policy will take effect immediately.

Chairman Zimmerman stated a Draft of the new policy was distributed to everyone. He also thanked Ms. Vahle and Mrs. Bussard for preparing the packet. Chairman Zimmerman stated he would like to place a parenthesis at the end of the sentence for the second bullet to say (recommended all sales stop at 1:30PM.)

**MOTION:** Mrs. Hays made a motion to approve the Alcohol Awareness policy and recommended all sales stop at 1:30.

**SECOND:** Mr. Stup seconded the motion with amendment for the second bullet as discussed.

**FURTHER DISCUSSION**

**ON THE MOTION:** There was no further discussion on the motion.

**VOTE:** Mrs. Hays – Aye  
Mr. Stup – Aye  
Mr. Zimmerman – Aye

The vote was unanimous.

**Aye – 3 Nays – 0**  
**(Motion Passed)**

The meeting was adjourned at 10AM.

Respectfully submitted,

Kathy Vahle, Administrator  
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees